

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 2452-13

C# M#

CRUTCHER

Group Art Unit: 2141

#7

2141

Serial No. 09/484,455

Examiner: Coulter, Kenneth R.

04-28-04

Filed: 18 January 2000

Date: April 8, 2004

Title: APPLET EMBEDDED CROSS-PLATFORM CACHING

RECEIVED

APR 13 2004

Technology Center 2100

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 Correspondence Address Indication Form Attached.

Fees are attached as calculated below:

Total effective claims after amendment	31	minus highest number			
previously paid for	31	(at least 20) =	0	x	\$ 18.00

\$ 0.00

Independent claims after amendment	7	minus highest number			
previously paid for	7	(at least 3) =	0	x	\$ 86.00

\$ 0.00

If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper)					
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\$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months)					
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\$ 950.00

Terminal disclaimer enclosed, add \$ 110.00					
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\$ 0.00

<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00)					
<input type="checkbox"/> Please enter the previously unentered , filed					
<input type="checkbox"/> Submission attached					

Subtotal \$ 950.00

If "small entity," then enter half (1/2) of subtotal and subtract					
<input type="checkbox"/> Applicant claims "small entity" status. <input type="checkbox"/> Statement filed herewith					

-\$ 0.00

Rule 56 Information Disclosure Statement Filing Fee (\$180.00)					
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\$ 180.00

Assignment Recording Fee (\$40.00)					
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\$ 0.00

Other:					
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\$ 0.00

TOTAL FEE ENCLOSED \$ 1130.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
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NIXON & VANDERHYE P.C.
 By Atty: Robert W. Faris, Reg. No. 31,352

Signature: Rawls



#7
04-28-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

CRUTCHER

Atty. Ref.: 2452-13; Confirmation No.

Appl. No. 09/484,455

TC/A.U. 2141

RECEIVED

Filed: 18 January 2000

Examiner: Coulter, Kenneth R.

APR 13 2004

For: APPLET EMBEDDED CROSS-PLATFORM CACHING

Technology Center 2100

* * * * *

April 7, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**RESPONSE AND SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT**

Applicants respond as follows to the Official Action dated October 8, 2003 (for which petition is hereby made for a three month extension of time).

04/09/2004 KBETEMA1 00000048 09484455

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REMARKS

Applicant appreciates the Examiner's indication that claims 5, 6, 18 and 19 are allowed. The only outstanding issue is the rejection of claims 1-4, 7-17 and 20-31 as allegedly being anticipated by Hawkins USP 6,536,035 under 35 USC 102(e).

The Examiner relies on Hawkins based on Hawkin's 9/3/99 effective filing date. To overcome this rejection, applicant submits the attached Declaration under Rule 131 and supporting redacted Appendix¹. The Declaration removes Hawkins as a prior art reference by demonstrating prior conception coupled with diligence to reduction to practice in a "beta" version.

Supplemental Information Disclosure Statement

In accordance with Rule 97, the undersigned attorney submits the documents listed on the attached form PTO-1449. A copy of each document is enclosed. The Examiner is requested to initial the attached form PTO-1449 and return a copy to the undersigned as an indication that the attached documents have been considered and made of record in this case.

All outstanding issues have been addressed and this application is in condition for allowance. Should any minor issues remain outstanding, the Examiner should contact the

¹ The Inventor/Declarant had the complete, unredacted Appendix before him when he executed the Declaration. To protect trade secrets, the undersigned made redactions to the Appendix after the inventor executed the Declaration. Applicant is entitled to redact the actual dates pursuant to Rule 131 and associated MPEP section(s). The undersigned redacted additional portions of the source code in the Appendix to protect trade secrets in the source code. The Examiner is free to contact the undersigned should he wish to review (e.g., under seal) an unredacted version of the Appendix and/or additional source code portions not set forth in the Appendix.

CRUTCHER
Appl. No. 09/484,455
April 7, 2004

undersigned at the telephone number listed below so they can be resolved expeditiously without need of a further written action.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 

Robert W. Faris
Reg. No. 31,352

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INFORMATION DISCLOSURE
CITATION

ATTY. DOCKET NO.

SERIAL NO.

2452-13

09/484,455

APPLICANT

CRUTCHER

FILING DATE

TC/A.U.

18 January 2000

2141

Q I P E
(Use several sheets if necessary)

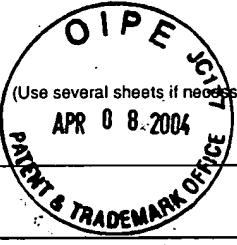
APR 08 2004

EXAMINER INITIAL	TRADEMARK OFFICE	DOCUMENT NUMBER	DATE	NAME	FILING DATE		
					CLASS	SUBCLASS	IF APPROPRIATE
		5487167	01/1996	Dinallo et al.			
		5581764	12/1996	Fitzgerald et al.			
		5583983	12/1996	Schmitter			
		5630131	05/1997	Palevich et al.			RECEIVED
		5668998	09/1997	Mason et al.			
		5708796	01/1998	Ozden et al.			APR 13 2004
		5712976	01/1998	Falcon,Jr. et al.			
		5742768	04/1998	Gennaro et al.			Technology Center 2100
		5745380	04/1998	Sandvoss et al.			
		5754774	05/1998	Bittinger et al.			
		5761477	06/1998	Wahbe et al..			
		5764235	06/1998	Hunt et al.			
		5765164	06/1998	Prasad et al..			
		5787284	07/1998	Blainey et al.			
		5802292	09/1998	Mogul			
		5835749	11/1998	Cobb			
		5878223	03/1999	Becker et al.			
		5933644	08/1999	Wallace			
		5956733	09/1999	Nakano et al.			
		5966702	10/1999	Fresko et al.			
		5974129	10/1999	Bodnar			
		5978477	11/1999	Hull et al.			
		5978788	12/1999	Castelli et al.			
		5978791	11/1999	Farber et al.			
		6003087	12/1999	Housel,/III et al.			
		6009410	12/1999	LeMole et al.			
		6052525	04/2000	Carlson et al.			
		6073129	06/2000	Levine et al.			
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		6122628	09/2000	Castelli et al.			
		6182277	01/2001	DeGroot et al.			
		6202070	03/2001	Nguyen et al.			
		6209128	03/2001	Gerard et al.			
		6223343	04/2001	Hopwood et al.			
		6272536	08/2001	van Hoff et al.			
		6332217	12/2001	Hastings			
		6353926	03/2002	Parthesarathy et al.			
		6453469	09/2002	Jystad			

*Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

INFORMATION DISCLOSURE CITATION		ATTY. DOCKET NO. 2452-13	SERIAL NO. 09/484,455			
 <small>(Use several sheets if necessary)</small> <small>APR 8 2004</small>		APPLICANT CRUTCHER				
		FILING DATE 18 January 2000	TC/A.U. 2141			
FOREIGN PATENT DOCUMENTS						
DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	TRANSLATION NO
WO97/46955	12/1997	PCT				
				RECEIVED		
				APR 13 2004		
				Technology Center 2100		
OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)						
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"OSD Describing Software Package on the Internet", Marimba Inc. White paper 1998 and website www.marimba.com, printed Nov. 1, 2000.						
"Timbale for Windows Terminal Services" Marimba Promotional document, undated, 2000.						

*Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.